

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KURT STOCKER,

Plaintiff,

08 Civ. 3663(PKC)

-against-

ORDER

THE RITZ-CARLTON HOTEL and THE
RITZ-CARLTON HOTEL COMPANY,
L.L.C.,

Defendants.
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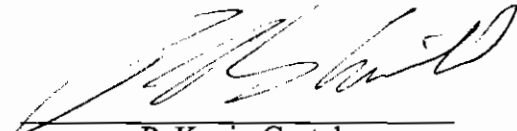
P. KEVIN CASTEL, District Judge:

Plaintiff Kurt Stocker brought an action in Supreme Court, New York County against The Ritz-Carlton Hotel and The Ritz-Carlton Hotel Company, L.L.C. The Ritz-Carlton Hotel Company, L.L.C. has removed the action to this Court invoking subject matter jurisdiction by reason of diversity of citizenship, 28 U.S.C. § 1332. Because The Ritz-Carlton Hotel Company, LLC is a limited liability company, the removal petition must allege the citizenship of natural persons who are members of the limited liability company and the place of incorporation and principal place of business of any corporate entities who are members of the limited liability company. See Handelsman v. Bedford Village Associates Ltd. Partnership, 213 F.3d 48, 51-52 (2d Cir. 2000), citing Cosgrove v. Bartolotta, 150 F.3d 729, 731 (7th Cir.1998); Strother v. Harte, 171 F.Supp. 2d 203, 205 (S.D.N.Y. 2001) ("For purposes of diversity jurisdiction, a limited liability company has the citizenship of each of its members."). If a partnership, limited partnership or limited liability company is a member of the defendant limited liability company, the citizenship of each member must also be alleged. By May 2, 2008, defendant shall amend its removal petition to allege the citizenship of each constituent person or entity of The Ritz-Carlton Hotel Company, L.L.C. If defendant is unable to amend by the foregoing date to truthfully allege complete diversity based upon the citizenship of each constituent per-

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son or entity of the LLC, then the complaint will be dismissed for lack of subject matter jurisdiction.

SO ORDERED.



P. Kevin Castel
United States District Judge

New York, New York
April 22, 2008